

three readings, and was ordered to be engrossed.

The engrossed bill to incorporate the Phoebe Company in Fayetteville, passed its first reading, and was ordered to be engrossed.

The bill to authorize the laying off and establishing a turnpike road from Goldsboro, in Pittsford county, to Thomas Foster's, in Beaufort, was read the second time.—Mr. Reid moved to strike out the clause authorizing a state subscription of one hundred shares; which was agreed to, 30 to 19. The bill was then read the third time, passed, and ordered to be sent to the Commons for concurrence.

Mr. Morehead presented resolutions requiring the Board of Internal Improvement to cause a survey to be made, from some eligible point in the Fayetteville and Western Rail Road (as soon as the same shall be located) to Greensborough, with an estimate of the cost of constructing a road from those points, to be laid before the next Legislature; which passed its three readings, and were ordered to be engrossed.

Mr. Moore submitted Resolutions directing a like survey and estimate from some point on said road to Salem, which passed three readings, and were ordered to be engrossed.

HOUSE OF COMMONS.

Wednesday, Jan. 2.

The bill authorizing Justices of the Peace in certain counties to class themselves for the purpose of holding the County Courts, was taken up, and after an ineffectual attempt to postpone to the 15th of January, passed its third reading and was ordered to be engrossed.

Bills presented.—By Mr. H. C. Jones, to incorporate the Yadkin and Columbus Rail Road Company; by Mr. Crawford, to incorporate the Town of Mocksville in Davie county; by Mr. Paine, to add the proceeds of the Sales of Cherokee Lands to the Literary Fund. These bills were severally read the first time and passed.

Mr. Winston, from the Committee on the Judiciary, reported unfavorably on the bill to compensate owners of Slaves executed for capital offences, when said bill was laid on the table.

Evening Session.

The Resolution heretofore introduced by Mr. Boyden, declaring that "the creditors of deceased persons, in case of a deficiency of assets, ought to receive a pro rata payment without regard to the dignity of their claims," was called up for consideration.—Mr. Reid moved that it be postponed indefinitely, which was decided in the negative—Yea 28, Nays 70. Mr. Tomlinson moved that it lie on the table which was carried—Yea 55, Nays 41.

Thursday, Jan. 3.

Mr. Hill called up for consideration the bill for the establishment of Common Schools, and after debate and its being amended, it was laid on the table and ordered to be printed.

The engrossed bill for the relief of the Raleigh and Gaston Rail Road Company was read the second time. Mr. Ford Taylor moved for its indefinite postponement.—The question thereon was determined in the negative 62 to 41. Mr. Boyden moved to strike out that section of the bill which binds the private property of the Stockholders.—The question theron was decided in the negative 58 to 43.

Evening Session.

The House resumed the consideration of the unfinished business, at the last adjournment. Mr. Hoke moved to strike out the section binding the private property of stockholders absolutely and insert an amendment, which was decided in the affirmative 61 to 45. So the House agreed to strike out, and insert an amendment (originally proposed by Mr. Boyden) providing that if the effects of the Company should prove inadequate to discharge the loan incurred by the act, then such Stockholder to contribute towards making up the deficiency, in proportion to his or her interest in the Stock of the Company. The question now recurring on the passage of the bill, to its second reading it was decided in the negative, 54 to 62.

Friday, Jan. 4.

The vote of yesterday by which the bill for the relief of the Raleigh and Gaston Rail Road was rejected, was re-considered.

The question recurring on the passage of the bill, its second reading, it was decided in the affirmative 54 to 52, Messrs. Massey and Mangum from Wake, and Chambers of Person, who voted yesterday against the bill, now voting in its favor. It was then read the third time, and sent to the Senate for concurrence in an amendment made by this House.

Mr. W. A. Blount presented a bill to amend the Act of 1838, incorporating the Central Rail Road Company. (Authorizes the Board of Internal Improvement to subscribe for three-fifths of the Stock, when two-fifths have been subscribed by individuals.) Mr. Stalling moved for its indefinite postponement, which was negatived by one vote.

The bill from the Senate to amend the Act, incorporating the Fayetteville and Western Rail Road, was read the second time. A great many attempts were made to postpone, to amend, to lay on the table, but it finally passed by a vote of 66 to 41.

Evening Session.

The Resolution from the Senate, directing the Board of Internal Improvement to

pay over the balance of the State's subscription to the Washington and Raleigh Rail Road, was taken up, amended by motion of Mr. Roberts, so as to make the individual Stockholders liable for the payment of the public amount of their subscription, on or before the first of June next, and making it the duty of the Board of Internal Improvement, to expose to public sale the shares of all delinquents, and finally passed its third reading—Yea 60, Nays 47.

Saturday, Jan. 5.

Mr. Paine introduced a Resolution, which was adopted, requesting our Senators and Representatives in Congress to use their exertions to procure from Congress an appropriation for opening an inlet at or near Nag's Head.

The Resolution from the Senate, in relation to the Letter of our Senator in Congress, touching the Instruction Resolutions, was taken up for consideration, and gave rise to an exciting and somewhat angry debate. It was finally adopted, 59 to 44, being a strict party vote on each side.

The Resolution from the Senate, touching the 4th Instalment to the Wilmington Road, was adopted.

The greater part of the sitting was spent in discussing the School bill from the Senate, which was finally stricken out in toto, and a bill heretofore introduced, by Dr. Hill was inserted as a substitute, which was variously amended by the motions of Messrs. Graham and Boyden, and finally passed by an overwhelming majority.

Mr. Myers and Dr. Fox.

To the Editors of the Register:

In the last North Carolina Standard an article is published, headed "MR. FOX—DIVISION OF MECKLENBURG AND ANSON," which I suppose is the production of the gentleman whose name heads the article. I feel myself called upon to expose inaccuracy of the gentleman, as it appears to be intended to justify himself before his constituents, at my expense. He is correct in saying that "Messrs. Winston, of Anson, and Caldwell, of Mecklenburg were selected to draw the Bill to establish the County of Union." The bill was introduced in the House of Commons, and passed that body and the first reading in the Senate, as stated by Mr. Fox. He then says "it was not yet discovered that it embraced no part of Anson. On the next morning early, Mr. Fox, from Mecklenburg, examined the bill, and for the first time discovered the error, on which he stated it to Mr. Myers, of Anson." Mr. Fox would be understood as discovering the error himself, which was not the fact. On the morning after the passage of the bill, the first time in the Senate, Mr. Fox called at my room and requested me to accompany him to the State House, for the purpose of trying to agree upon the amendment which he proposed offering on the second reading of the bill, which he had before stated to me would be to run the line directly from the Anson and Calavarus corner, instead of running four miles up the Cabarrus line, as described in the Memorial.—We went to the Clerk's room to examine the papers.—The Clerk handed us the Bill, as the only paper then in his office on the subject. We were both reading the bill, and discovered the error at the same time; but Mr. Fox would have it believed, but for his superior sagacity, the bill would have passed the Senate as it had the House of Commons, without the omission being detected. He says, "the next day when the bill was called up by Mr. Fox, and put on its second reading, Mr. Myers moved to amend the bill by adding a part of Anson." The Journal of the Senate proves that the bill was called up for the second reading upon my motion, and not Mr. Fox's, and I stated at the time that I wished to offer an amendment, and after the memorial of the citizens of Anson and Mecklenburg had been read at my request, moved so to amend the bill as to include that part of Anson described in the memorial, which had been omitted in the bill; which amendment was adopted. Mr. Fox, of Mecklenburg, then rose and remarked, that the line designated in the memorial would pass within less than nine miles of the town of Charlotte, and proposed an amendment. While engaged in preparing his amendment, a motion was made for the indefinite postponement of the bill, an amendment, which did not prevail. Before the amendment was prepared, the House adjourned. The bill being called up next day, Mr. Fox, after considerable delay, matured his amendment as published in the article in the Standard, upon which some of the remarks there published were delivered by him.

I made the following reply to Mr. Fox: "Mr. SPEAKER: I hope the amendment offered by the Senator from Mecklenburg will not be adopted. Although under no pledge before my election to endeavor to carry out the prayer of the Memorialists, I consider the respectable number of signatures to the memorial from the county of Anson, in the absence of any remonstrance against the measure, binding upon me as their representative, to endeavor to effect the object prayed for. I am not sufficiently acquainted in the county of Mecklenburg, to enable me to say how near the proposed line will approach the Town of Charlotte, and dislike to contradict the Senator from Mecklenburg: but Sir, I have been informed by a respectable gentleman residing in Mecklenburg, that the line proposed in the memorial will not pass nearer than fifteen miles of Charlotte. I am well aware, Mr.

Speaker, that the difference between the gentlemen from Mecklenburg and myself, as to the boundaries of the county of Union, will be fatal to the bill; but Sir, I cannot consent to his amendment, for I consider the proposed boundaries as described in the memorial, signed by more than four hundred persons, as my instructions. Although, I belong, Sir, to a party generally called Federalists, yet I acknowledge the obligation of the representative to conform to the will of his constituents, and I am surprised that the gentlemen from Mecklenburg, professing the principles he does, should oppose the line proposed in the memorial from his county, signed by more than five hundred of his constituents, without having it in his power to produce one solitary name to remonstrate against it."

I have no doubt Mr. Fox meditated the destruction of the Bill in his proposed amendment; as an evidence of which, in his remarks, he took occasion to observe the memorial described the line proposed to be run across the county of Mecklenburg as calling to run to Seymour Taylor's whom no man of that name lived in the county of Mecklenburg, but one of that name lived over in South Carolina; when a Senator observed, he thought the Senate would do well to use some caution in establishing the county of Union, according to the statement of the Senator from Mecklenburg, we might take part of the State of South Carolina, and run foul of Nullification.

Mr. Fox's amendment, after designating the starting point and the point at which the line shall strike the S. Carolina line, says, "Provided, that the said division line shall at no point approach the Town of Charlotte nearer than sixteen miles." I should like to know from the Senator, provided the line was found to run from end to the points designated in his amendment, nearer than sixteen miles of the Town of Charlotte, whether he would recommend a circular line, or various corners, so as to come within his province, or whether in that event it would be a line at all?

The bill was postponed indefinitely, I think, solely on account of the disagreement between the Senators from the counties of Anson and Mecklenburg.

A. MYERS.

January 4th, 1839.

Distinguished Stranger.—The only remaining descendant of the celebrated Florentine, Amerigo Vespucci, who gave his name to this continent, is now in this city. His name is Signor Maria Helene Amerigo Vespucci. She arrived here about two weeks ago, in a vessel from Rio Janeiro.—She left Florence last spring, passed through Paris, and has letters from Louis Philippe to his minister in this country. She is a young woman of great accomplishments, extraordinary talents, and peculiar personal beauty. She is the son at present, and will spend the winter in Washington.—N. Y. Herald.

Expensive Dresses.—Six cases of rich French dresses were imported at Quebec, in anticipation that they would be purchased by the ladies of Lord Durham's court, who are among the wealthiest and most beautiful of the English nobility. The tastes of these ladies however, did not call for such dresses, and they were carried to New York and sold. They were most beautiful stain and laces, wrought and gold cost from \$100 to \$200 a dress.

Cook, the owner of the dray which ran over Capt. Walker, of the Isabella, at New Orleans, broke his thigh, and otherwise injured him, was sentenced, on the 18th inst. by Judge Buchanan, to pay to the plaintiff twelve hundred dollars damages. A righteous judgment this truly, and one which, we hope, will have the effect of preventing furious driving.

A prudent young man.—A few days ago, a duel was to have come off with swords, at a small town in Louisiana. One of the parties on the night before the affair waited on a "keen old swordsman," and made enquiries as to the surest way to avoid being touched by his antagonist's weapon.—The surest way is to keep out of its reach, said the veteran. The considerate young gentleman took the hint and sloped for Texas.

Cotton.—Letters from Mobile, state that the Union Bank of Mississippi had determined to advance sixty dollars a bale on cotton, giving the owner the advantage of all exchanges, &c.—N. Y. Jour. Com.

A young lady in Vermont has recently recovered no less than \$22,000 from a rich swain who had broken his promise to marry her.

Latest.—It is stated, in one of the papers, that the Government has determined to send out a Revenue Cutter after Mr. Price. A gentleman reading it, says that is entirely unnecessary, as Mr. Price is a Revenue cutter himself.

"Ned, what pranks are you cutting now?" said a master to a rough urchin.—"None, sir, I've got no knife to cut 'em with" was the honest reply.

The way the matter is.—Gold is proved by fire—woman by gold—and man by woman. Fire purifies gold—gold corrupts woman—and woman corrupts man.

DISPARAGEMENT.

The subject of Mr. Wise's Speech, induces me to make a few observations on the House of Representatives, and to which we invite attention, in form, the Washington Correspondent of the N. Y. Express. Mr. Wise makes the writer with a censor's hand. He is such a good hand in ferreting out abuses, no doubt some miserable tools of the Executive would be glad to see him anywhere else than in the House and had their been sufficient independence in that body to have given him, two years ago, an "unbiased committee," many of the consequences now coming to light might have been prevented.

"Mr. Wise examined very minutely the particulars of most of the defalcations which have been published. He made a thorough overhauling of all the prominent Defalcations,—varry in number,—giving names and dates and places and sum of defalcation,—the circumstances under which the Defalcations were made,—the knowledge the Secretary of the Treasury had of these Defalcations,—his excuse, if not connivances at them,—all the published facts, and many others in relation to them, were stated in a clear and lucid manner. Both a mass of corruption you have not before even dreamt of.

The last case he examined was that of Mr. Swartout. Mr. Wise said it was not Mr. Swartout's money he proposed to look after. That would be a useless task, and his sins were heavy enough upon him already without further exposure. He wished to look after the Secretary of the Treasury in connection with this great defalcation.

Mr. Swartout left the country in August, and nothing is heard of his defalcation until November! The last return of Mr. Swartout is dated March 28th, 1838, and the last public letter in April, to which an answer is given by the Secretary of the Treasury, dated April also! Nothing is heard of the Defalcation from April to November, and the Secretary tells us that he even had no suspicion of a Defalcation until that time. What negligence!

Mr. Wise then stated another fact in reference to the claims set off by Mr. Swartout when he left his office. Swartout kept in his hands, as it appears when he left office, with a view of meeting the claims against him—the sum of \$200,000! as necessary to meet the demands against the Custom House. What, said Mr. Wise are the amount of these demands as put down in the new report of this account furnished by the Treasury Department? They were but the sum of \$7,700.—\$200,000 kept to meet the demand of less than \$8,000!—less than \$8,000, and so stated, as will appear upon examination. Will the Secretary of the Treasury explain this, if he can?

Other facts stated by Mr. Wise are gathered from the special report of the Secretary of the Treasury referring to this subject, were in reference to certain dates of letters. The Secretary of the Treasury, it appears, sent a letter on the 13th of April, 1838, demanding a settlement with Mr. Swartout. Mr. Swartout received the letter by due course of mail, and on the 16th of April,—three days after the date of the letter demanding a settlement, answered it, but did not meet the demand of the Secretary asking a settlement, not only not then but at no time up to August, the time of his sailing for Europe, making the demanded settlement made in April, and yet the Secretary of the Treasury tells us he heard nothing of and suspected nothing of the settlement, until sometime in November! Demanding a settlement,—receiving none—a settlement put off for months,—accounts unsettled,—the party requested to make the settlement off for Europe, and yet the Secretary of the Treasury never suspecting any thing was wrong until late in November. Who believes him innocent? said Mr. Wise.

Mr. Wise then proved that Fleming, Ogden and Phillips of the N. Y. Custom House knew of the defalcation long before it was proclaimed. Letters were then read by Fleming, an Auditor in the Custom House, showing in March, '37 a discrepancy of \$500,000 in accounts, which discrepancy was pointed out to Phillips and to Mr. Ogden, cashier and assistant cashier. Mr. Fleming stated also that it was discovered that the Treasury was minus in August, the sum of \$640,000! Mark the date, August, 1838, when Mr. Jesse Hoyt was in office,—and yet with these facts known and proclaimed in August, the Secretary of the Treasury says he had not knowledge of the defalcations—no suspicion even until sometime in November! Who believes him, I ask again? said Mr. Wise.

And now, said Mr. W., I charge Mr. Hoyt with having a knowledge of this defalcation. I charge him with being acquainted with the facts exposed by Fleming the Auditor in August, and communicating to Phillips—I charge him with knowing of the deficiency of \$640,000, and above all, I charge the Secretary of the Treasury with a gross neglect of duty, in not himself becoming acquainted with these facts if he did not know them.

Mr. Wise further commented upon Mr. Fleming's letter,—especially that part of it where he told Swartout that upon examining the books they were minus \$640,000. When Fleming told Swartout of

the defalcation, he said, "I am sorry to hear that, but I have no knowledge of it." Another fact upon which Mr. Wise dwelt was the arrangement of the Defalcation, out by the Secretary of the Treasury, and of Mr. Ogden and of Mr. Hoyt. Why did they believe the Defalcation to be made? Another fact upon which Mr. Wise dwelt was that from December, 1837, to March, 1838, the Secretary of the Treasury had sent no returns to the Secretary of the Treasury, and in view of which he was negligent.

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On the 2d inst. the Senate took up for consideration the bill in relation to the public lands, and made a few alterations in the Bill, and moved an amendment limiting the sales, under the Bill, to actual settlers. He said that the bill, as it stood, would yield about thirty-five millions from the Revenue of the United States, and at a time when the condition and prospects of the Treasury rendered it important to have had the great national revenue.—*Op. de la Jeune*. It would encourage speculators of the public lands, and put in the power of the speculators to monopolize millions of acres, and in seven years time, to double their money. He moved to recommit the bill to the Committee on Public Lands with instructions to transact it so as to limit the right of entering lands under the bill, to actual settlers.

Mr. Walker opposed the motion and went fully into the subject.

Mr. Clay, of Alabama, replied to Mr. Clay and accused him of hostility to the new states as evinced heretofore by his opposition to the pre-emption laws.

Mr. Benton also supported the policy of the original bill.

Mr. Clay, in his reply said—the senator from Alabama had attempted to represent him as an enemy of the new States. The charge conformed with the impression which the senator wished to make in the new states, but not with the fact. In nothing had he shown any hostility to the new states. The whole policy of the Government had been kind and parental to the new states. It was not true that their growth had been retarded by the General Government or that there had been any illiberality towards them. Their population had increased in a proportion of four times as fast as the old states. Millions of acres had been granted to them for improvements and cultivation. As to his course on the pre-emption law, which had been alluded to, he was still opposed in principle to the pre-emption law, not to discourage the growth of the new states but to prevent the speculators from monopolizing lands which belong to the whole people. He had never used any disrespectful words in regard to the actual claimants under the pre-emption law—though such words—epithets which were never used—had been put in his mouth by Senators here, to answer their own purposes. He opposed the system of pre-emption because it encouraged fraudulent speculators.

This debate was continued on the following day, and Mr. Clay's motion to re-commit the bill, with instructions to limit the right to purchase the lands to actual settlers, and not in larger quantities than 100 acres, was carried.

[On this occasion Mr. Strange voted in accordance with the expressed wishes of our legislature, and Mr. Brown contended for it.]

A resolution was proposed by Mr. Cushing, disqualifying all persons from ever holding any public office, who may be in any manner engaged in a duel, or challenging another as principal or second.

Mr. Cushing offered resolutions to inquire of the President what explanations the French government had made of its hostile proceedings towards Mexico, its blockade, and the treatment of American vessels, off the Mexican coast.

Mr. Wise offered the following resolution:

Resolved, That a select committee, to consist of three members, and to be elected by ballot, be constituted, with power to send for persons and papers, to inquire and report whether there are sufficient grounds on which to found an impeachment by this House of Levi Woodbury, the Secretary of the Treasury.

The question being on the adoption of the resolution, and objection having been made by Mr. Cushing, the resolution, giving rise to debate, lies over one day.

[Mr. Wise hoped it would appear on the 2d inst. who had made this objection.]

Mr. Garland offered a resolution, which was adopted, instructing the Committee on Naval Affairs to inquire into the expedition of building steam-ships of war.

On the 3d inst. Mr. Cushing had leave to make a statement to the House.

On Monday, the gentleman from Virginia (Mr. Wise) offered a resolution to appoint a committee, by ballot, to prepare articles of impeachment against Mr. Woodbury.

He objected to the resolution, not because he wished to oppose its investigation. He was sure that the Secretary of the Treasury was anxious for an investigation into his conduct that he deserved. He would withdraw his objection to the motion, provided that the committee should be raised in the ordinary way.

[Loud laughter.] "We knew that," cried several members. Well, said Mr. Cushing, I will agree even to the appointment of a committee by ballot, provided it be made immediately.

Mr. Prentiss remarked that the mover of the resolution, (Mr. Wise,) was now absent; and he was about to make some reply to Mr. Cushing, when the Chair arrested his remarks.

Mr. Wise having come into the Hall about half past two o'clock, to make a statement to reply to Mr. Cushing, but leave was refused.

A resolution was offered by Mr. Underwood, to inquire into the particularities of General Scott's dilatation, as well as of all other dilatations in the War department within the last two years.—*Op. de la Jeune*.

Four bills concerning the public lands were drawn up on the 2d ult. and referred to the Committee on Public Lands, which were introduced in the Senate on the 3d ult.

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